IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 20968 of 2004

Between:

M.Venkateshwar Rao, S/o Musalaiah,
R/o Sivaiah Panthulu, H.No.6-378, Andhra Kesari Nagar,
Kurnool Road, Ongole, Prakasam District

..... PETITIONER

AND

1 State of Andhra Pradesh rep.by Superintendent of Police,
Prakasam District, Andhra Pradesh
2 Station House Officer, Ongole Rural Police Station,
Ongole Taluq, Prakasam District
3 Investigation Officer, Sri R.Srinivasa Rao,
Sub-Inspector of Police, Ongole Rural Police Station,
Ongole Taluq, Prakasam District
4 V.Laxmi Keshavanarayana Swamy, S/o Jyothir Bujanga

Chary, R/o Mukthi Nuthalapadu Village, Ongole Mandal,

Prakasam District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ, Order or direction more particularly one in the nature of Writ of Habeas Corpus declaring the action of respondents for not taking action against my complaint and non-producing my daughter and her three male children in person is illegal, arbitrary and violation of Principles of Natural justice apart from violation of

fundamental rights guaranteed under Article 21 and 14 of Constitution of India

Counsel for the Petitioner: MR.THALAPALLY RAJASHEKHAR

Counsel for the Respondent Nos 1-3.: THE ADVOCATE GENERAL

Counsel for Respondent No.4:

The Court made the following :

Oral Order: (per Sri BN.J)

We have recorded the statement of the detenu. She stated that she is out of her home and is living with Respondent No.4. She also stated that she does not want to live along with her husband or her father. The children are minor. Two of them are of 2 ½ years old and one of them is 5 years old. They are in the lawful custody of their mother. We cannot also direct those children to be given to the custody of the petitioner in this Habeas Corpus proceedings. Therefore, the writ petition is dismissed.

However, parties are at liberty to seek appropriate remedies from the appropriate Courts.

20..12..2004

msv.

To

1 The Superintendent of Police,
Prakasam District, Andhra Pradesh

2 The Station House Officer, Ongole Rural Police Station,
Ongole Taluq, Prakasam District
3 The Investigation Officer, Sri R.Srinivasa Rao,
Sub-Inspector of Police, Ongole Rural Police Station,
Ongole Taluq, Prakasam District
4. 2 ccs to Advocate General, High Court Building, Hyderabad (OUT)

5. 2 CD copies.